

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re: Nissan North America, Inc. Litigation

LAKEITA KEMP, individually and on behalf of all
others similarly situated,
Plaintiff,

v.

NISSAN NORTH AMERICA, INC. and NISSAN
MOTOR CO., LTD.
Defendants

Case No.: 3:19-cv-00843
Case No.: 3:19-cv-00854
Case No.: 3:22-cv-00098

District Judge William L. Campbell, Jr.
Magistrate Judge Jeffrey S. Frensley

MICHELLE BEREDA et. al, individually and on
behalf of all others similarly situated,
Plaintiffs,

v.

NISSAN NORTH AMERICA, INC. and NISSAN
MOTOR CO., LTD.
Defendants

**JOINT REPORT AND REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE**

Plaintiffs Robert Garneau, Nancy Housell, Jeffrey Olkowski, Vaughn Kerkorian, David Turner, Courtney Johnson, Scott Reeves, Rhonda Perry, Jane Reeves, Morela Jova, Kimberly Wright, Todd Burrows, Hosea Bartlett, Aurelia Fowler, John Hartwell, Keith Huddleston, Lakeita Kemp, Michelle Bereda, and Angelene Hoeffken (collectively “Plaintiffs”) and Defendants Nissan North America, Inc. (“NNA”) and Nissan Motor Co., Ltd. (“NML”) (collectively “Nissan” or “Defendants”) hereby file this Joint Report and Request to Continue the Case Management Conference (“CMC”) scheduled for July 16, 2025 [ECF 330].

1. The parties previously reported about ongoing discussion exploring the potential for resolution. [ECF 329]. Those discussions have continued but have not concluded, and the parties believe that judicial economy and efficiency would be best served by resetting the CMC, currently set for July 28, 2025, for another 30 days.

2. Even if the parties are unable to resolve the litigation, extending the deadline for the parties to submit a proposed schedule will nevertheless best serve judicial economy and efficiency. Less than two weeks ago, the Sixth Circuit issued its *en banc* ruling in *Speerly v. General Motors LLC*, No. 23-1940 and the parties believe that their recommendation on a proposed schedule would benefit from consideration of the Sixth Circuit's guidance.

3. Considering the above, the parties request that the Court reset the CMC for a date after August 28, 2025.

Dated: July 9, 2025

Respectfully submitted,

By: /s/ E. Paul Cauley, Jr.

E. Paul Cauley, Jr.

S. Vance Wittie, *pro hac vice*

**FAEGRE DRINKER BIDDLE
& REATH LLP**

2323 Ross Avenue, Suite 1700

Dallas, Texas 75201

Tel: (469) 357-2503

paul.cauley@faegredrinker.com

vance.wittie@faegredrinker.com

Brigid M. Carpenter (BPR No. 18134)

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.**

1600 West End Avenue, Suite 2000

Nashville, Tennessee 37203

Tel: (615) 726-5600

bcarpenter@bakerdonelson.com

***Counsel for Defendants Nissan North
America, Inc. and Nissan Motor Co., Ltd.***

By: /s/ J. Gerard Stranch, IV

J. Gerard Stranch, IV (BPR 23045)

**STRANCH JENNINGS & GARVEY
PLLC**

223 Rosa L. Parks Avenue, Suite 200

Nashville, Tennessee 37203

Tel: (615) 254-8801

gstranch@stranchlaw.com

L. Timothy Fisher, *pro hac vice*

Joel D. Smith, *pro hac vice*

Frederick J. Klorczyk III, *pro hac vice*

BURSOR & FISHER, P.A.

1990 North California Boulevard, Suite 940

Walnut Creek, California 94596

Tel: (925) 300-4455

ltfisher@bursor.com

jsmith@bursor.com

fklorczyk@bursor.com

W. Daniel “Dee” Miles, III
H. Clay Barnett, III
J. Mitch Williams
Dylan Martin
**BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.**
218 Commerce Street
Montgomery, Alabama 36104
Tel: (334) 269-2343
dee.miles@beasleyallen.com
clay.barnett@beasleyallen.com
mitch.williams@beasleyallen.com
dylan.martin@beasleyallen.com

Adam J. Levitt
John E. Tangren
Daniel R. Ferri
Adam Prom
DICELLO LEVITT LLP
Ten North Dearborn Street, Sixth Floor
Chicago, Illinois 60602
Tel: (312) 214-7900
alevitt@dicellolevitt.com
jtangren@dicellolevitt.com
dferri@dicellolevitt.com
aprom@dicellolevitt.com

Benjamin L. Bailey
Jonathan D. Boggs
BAILEY GLASSER LLP
209 Capitol Street
Charleston, West Virginia 25301
Tel: (304) 345-6555
bbailey@baileyglasser.com
jboggs@baileyglasser.com

Michael L. Murphy
BAILEY GLASSER LLP
1055 Thomas Jefferson Street NW, Suite 540
Washington, DC 20007
Tel: (304) 345-6555
mmurphy@baileyglasser.com

Daniel A. Schlanger, *pro hac vice*
SCHLANGER LAW GROUP, LLP
9 East 40th Street, Suite 1300
New York, New York 10016
Tel: (212) 250-6114
dschlanger@consumerprotection.net

Jaimie Mak
RICHMAN LAW GROUP
81 Prospect Street
Brooklyn, NY 11201
Tel: (718) 228-8522
jmak@richmanlawgroup.com

Kim E. Richman
RICHMAN LAW GROUP
8 West 126th Street
New York, NY 10027
Tel: (718) 705-4579
krichman@richmanlawgroup.com

Lynn A. Toops
Lisa M. La Fornara*
Cohen & Malad, LLP
One Indiana Square, Suite 1400
Indianapolis, IN 46204
Phone: 317-636-6481
ltoops@cohenandmalad.com
llaforanara@cohenandmalad.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on July 9, 2025, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses of all counsel of record listed below.

J. Gerard Stranch, IV
STRANCH JENNINGS & GARVEY PLLC
223 Rosa L. Parks Avenue, Suite 200
Nashville, Tennessee 37203
Tel: (615) 254-8801
gstranch@stranchlaw.com

L. Timothy Fisher, *pro hac vice*
Joel D. Smith, *pro hac vice*
Frederick J. Klorczyk III, *pro hac vice*
BURSOR & FISHER, P.A.
1990 North California Boulevard, Suite 940
Walnut Creek, California 94596
Tel: (925) 300-4455
ltfisher@bursor.com
jsmith@bursor.com
fklorczyk@bursor.com

W. Daniel "Dee" Miles, III
H. Clay Barnett, III
J. Mitch Williams
Dylan Martin
BEASLEY, ALLEN, CROW, METHVIN, PORTIS & MILES, P.C.
218 Commerce Street
Montgomery, Alabama 36104
Tel: (334) 269-2343
dee.miles@beasleyallen.com
clay.barnett@beasleyallen.com
mitch.williams@beasleyallen.com
dylan.martin@beasleyallen.com

Adam J. Levitt
John E. Tangren
Daniel R. Ferri
Adam Prom
DICELLO LEVITT LLP
Ten North Dearborn Street, Sixth Floor
Chicago, Illinois 60602
Tel: (312) 214-7900
alevitt@dicellolevitt.com
jtangren@dicellolevitt.com
dferri@dicellolevitt.com
aprom@dicellolevitt.com

Benjamin L. Bailey
Jonathan D. Boggs
BAILEY GLASSER LLP
209 Capitol Street
Charleston, West Virginia 25301
Tel: (304) 345-6555
bbailey@baileyglasser.com
jboggs@baileyglasser.com

Michael L. Murphy
BAILEY GLASSER LLP
1055 Thomas Jefferson Street NW, Suite 540
Washington, DC 20007
Tel: (304) 345-6555
mmurphy@baileyglasser.com

Daniel A. Schlanger, *pro hac vice*
SCHLANGER LAW GROUP, LLP
9 East 40th Street, Suite 1300
New York, New York 10016
Tel: (212) 250-6114
dschlanger@consumerprotection.net

Jaimie Mak
RICHMAN LAW GROUP
81 Prospect Street
Brooklyn, NY 11201
Tel: (718) 228-8522
jmak@richmanlawgroup.com

Kim E. Richman
RICHMAN LAW GROUP
8 West 126th Street
New York, NY 10027
Tel: (718) 705-4579
krichman@richmanlawgroup.com

Lynn A. Toops
Lisa M. La Fornara*
Cohen & Malad, LLP
One Indiana Square, Suite 1400
Indianapolis, IN 46204
Phone: 317-636-6481
ltoops@cohenandmalad.com
llaforanara@cohenandmalad.com

/s/ E. Paul Cauley, Jr.

E. Paul Cauley, Jr.